

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

Brandon Schumpert, individually and as a  
representative of the class,

Plaintiff,

v.

Aldi Inc.,

Defendant.

Case No. 1:13-cv-02417

Judge Harry D. Leinenweber

**NOTICE OF SETTLEMENT AND  
AGREED ORDER TO EXTEND STAY, STRIKE STATUS HEARING, AND  
SET A HEARING FOR PRELIMINARY SETTLEMENT APPROVAL**

1. On July 22, 2013, this Court entered an order staying all proceedings in this matter until August 9, 2013 to allow the parties to engage in informal settlement discussions. On the same date, the Court set a status hearing for August 14, 2013.

2. The parties hereby notify the Court that they have reached a settlement in this case, agreeing to material settlement terms.

3. Because this is a putative class action under Fed. R. Civ. P. 23 and because the parties have settled this case on a class-wide basis, the Court must approve the settlement. *See* Fed. R. Civ. P. 23(e). Specifically, to meet the demands of Rule 23, the parties must prepare settlement notices for the Court's approval and a preliminary motion explaining why the settlement is fair, reasonable, and adequate. If the Court approves the preliminary motion and settlement notices, the parties then distribute the approved notices to class members. Class members have the ability to exclude themselves from the settlement if they so choose. The notice would also inform class members of the final fairness hearing to be held before the Court so that they could attend and speak in favor or

against settlement if they so choose. Following the notice process, the parties would then present the Court with a summary of the Class's reaction to notice, and move the Court for final approval of the settlement. The Court would then hold a final fairness hearing to finally approve or deny settlement.

4. Accordingly, the parties request that the Court extend the stay of litigation so that the parties can prepare a full Settlement Agreement, motion for preliminary settlement approval, and settlement notices, and file the same with the Court.

5. The parties intend to file these documents on or before September 13, 2013, and therefore respectfully request that the Court stay the case until such time as the parties' forthcoming motion for preliminary approval is decided and strike the August 14, 2013 status hearing date.

**WHEREFORE, IT IS HEREBY ORDERED:**

1. The August 14, 2013 hearing date is stricken;
2. The parties shall file their joint motion for preliminary settlement approval on or before September 13, 2013;
3. All proceedings in this matter are stayed until after the Court rules on the parties' forthcoming motion for preliminary settlement approval.

Dated: August 23, 2013



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Judge Harry D. Leinenweber

**Order Jointly Prepared by:**

/s Anna P. Prakash

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